



[4910-13]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2014-1003; Airspace Docket No. 14-AEA-9]

Amendment of Class D and Class E Airspace; Clarksburg, WV

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Class E Airspace at Clarksburg, WV, as the Clarksburg VOR/DME has been decommissioned, requiring airspace redesign at North Central West Virginia Airport, formerly Benedum Airport. This action enhances the safety and management of Instrument Flight Rules (IFR) operations at the airport. This action also updates the geographic coordinates of the airport.

DATES: Effective 0901 UTC, August 20, 2015. The Director of the Federal Register approves this incorporation by reference action under title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

ADDRESSES: FAA Order 7400.9Y, Airspace Designations and Reporting

Points, and subsequent amendments can be viewed on line at

<http://www.faa.gov/airtraffic/publications/>. The Order is also available for

inspection at the National Archives and Records Administration (NARA). For

information on the availability of this material at NARA, call 202-741-6030, or go

to [http://www.archives.gov/federal_register/code_of_federal-](http://www.archives.gov/federal_register/code_of_federal-regulations/ibr_locations.html)

[regulations/ibr_locations.html](http://www.archives.gov/federal_register/code_of_federal-regulations/ibr_locations.html).

FAA Order 7400.9, Airspace Designations and Reporting Points, is published yearly and effective on September 15. For further information, you can contact the Airspace Policy and ATC Regulations Group, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, D.C., 29591; telephone: 202-267-8783.

FOR FURTHER INFORMATION CONTACT: John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-6364.

SUPPLEMENTARY INFORMATION:

History

On March 20, 2015, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to amend Class D and Class E airspace at North Central West Virginia Airport, Clarksburg, WV., (80 FR 14878).

Interested parties were invited to participate in this rulemaking effort by

submitting written comments on the proposal to the FAA. No comments were received. Also, the airport coordinates are further adjusted from the NPRM.

Class E airspace designations are published in paragraphs 5000, 6004, and 6005, respectively of FAA Order 7400.9Y dated August 6, 2014, and effective September 15, 2014, which is incorporated by reference in 14 CFR Part 71.1. The Class D and Class E airspace designations listed in this document will be published subsequently in the Order.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order 7400.9Y, airspace Designations and Reporting Points, dated August 6, 2014, and effective September 15, 2014. FAA Order 7400.9Y is publicly available as listed in the ADDRESSES section of this final rule. FAA Order 7400.9Y lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 amends Class E airspace designated as an extension to Class D at North Central West Virginia Airport, formerly known as Benedum Airport. A segment of the airspace is amended from a 4.1-mile radius of the airport to 11 miles southwest of the airport. Class E airspace extending upward from 700 feet above the surface is amended to within an 8.9-mile radius of the airport. Decommissioning of the Clarksburg VOR/DME and cancellation of the VOR approaches has made this action necessary for continued safety and management of IFR operations at the airport. The geographic coordinates of

the airport are adjusted to coincide with the FAA's aeronautical database. The airport name is changed from Benedum Airport to North Central West Virginia Airport in the Class D and E airspace areas listed above.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and unlikely to result in adverse or negative comments. It, therefore, (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it amends

Class D and Class E airspace at North Central West Virginia Airport,
Clarksburg, WV.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures," paragraph 311a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

Lists of Subjects in 14 CFR Part 71:

Airspace, Incorporation by reference, Navigation (Air).

Adoption of the Amendment:

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR Part 71 as follows:

PART 71 --DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

1. The authority citation for Part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g), 40103, 40113, 40120, E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

§71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.9Y, Airspace Designations and Reporting Points, dated August 6, 2014, effective September 15, 2014, is amended as follows:

Paragraph 5000 Class D Airspace

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AEA WV D Clarksburg, WV [Amended]

North Central West Virginia Airport, WV
(lat. 39°17'52"N., long. 80°13'39"W.)

That airspace extending upward from the surface up to and including 3,700 feet within a 4.1-mile radius of North Central West Virginia Airport. This Class D airspace area is effective during specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

Paragraph 6004 Class E Airspace Designated as an Extension to a Class D Surface Area.

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AEA WV E4 Clarksburg, WV [Amended]

North Central West Virginia Airport, WV
(lat. 39°17'52"N., long. 80°13'39"W.)

That airspace extending upward from the surface within 2.7 miles each side of the 220° bearing from North Central West Virginia Airport extending from the 4.1-mile radius of the airport to 11 miles southwest of the airport. This Class E airspace area is effective during specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

Paragraph 6005. Class E Airspace Areas Extending Upward from 700 feet or

More Above the Surface of the Earth.

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AEA WV E5 Clarksburg, WV [Amended]

North Central West Virginia Airport, WV
(lat. 39°17'52"N., long. 80°13'39"W.)

That airspace extending upward from 700 feet above the surface within an 8.9-mile radius of North Central West Virginia Airport.

Issued in College Park, Georgia, on **May 13, 2015**

JOEY MEDDERS

Acting Manager, Operations Support Group

Eastern Service Center, Air Traffic Organization

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